

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Krisciunas, L.

Group:

Attorney Docket #.: 2012

In re:

Applicant(s): SCHIMITZEK, P.

Serial No.: 10/070,487

Filed: 03/04/2002

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

February 14, 2007

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Applicant herewith petitions for a withdrawal of the holding of abandonment of the subject application.

The subject application became abandoned on January 18, 2007, by the issuance of a Notice of Abandonment which indicated that a timely response to the office letter mailed on May 9, 2006 was not received.

It is correct that applicant did not file a response to the office letter of May 9, 2006.

On the other hand, applicant did not receive the Office Action of May 9, 2006 and this is the reason why no response was tendered.

Attached hereto is an extract from the hand entry office docket book where the term for response to the Office Action would have been indicated. The term would have been indicated on the page written November 8, 2006. The following page is also attached hereto.

Further attached hereto is the computer docket for the subject application, which also fails to show the entry of the Amendment. The undersigned further states that he has reviewed the file of the subject application and that there is no indication that the Office Action was received by this office.

A copy of the Office Action was eventually obtained by this office through the USPTO.gov website and an appropriate Amendment in response thereto is attached hereto.

Accordingly, it is requested that the holding of abandonment be withdrawn and that the prosecution on the merits be resumed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Striker', with a long horizontal flourish extending to the right.

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743

~~AB 6/17/06~~
~~1,420,387 Messerschmitt F/4 Nov 9~~

~~AB 6/23/06~~
~~76/538,269 Mascopart 6-DA Nov. 9~~

~~R 11/9/06~~
~~10/886,339 Hahn 3-DA Nov. 9.~~

~~all 12/8/06~~
~~10/762,412 Faye 3-DA Nov. 9.~~

~~R 11/9/06~~
~~10/912,639 Fitzer 3-DA Nov. 9~~

~~10/11/06~~
~~29/208,690 Thalhammer FF Nov. 9.~~

~~AB 8/23/06~~
~~10/493,974 Mack 3-DA Nov. 9~~

~~Sateler 3860 F/U anything Nov 9~~
~~from the client~~

7/18/06

~~78/709,691 TM Goldfish Text: 6-0A Dec. 9~~~~see 12/18/06~~~~76/624,741 TM: El Corte Ingles 6-0A Dec. 9~~~~see 12/19/06~~~~507,288 Slierte 3-0A Nov. 10~~

11/1/06

~~286,225 Hellbach 3-0A Nov. 10~~~~see 12/19/06~~~~474,116 Stoehr 3-0A Nov. 10~~

11/9/06

~~049,546 Kraenzler 3-0A Nov. 10~~

12/9/06

~~875 633 Koppenthafer Final NOV 10~~

Clear	Copy	Search	Save	Print	Delete	Undo	Exit
-------	------	--------	------	-------	--------	------	------

Case Number:	2012	Country:	US	SubCase:	
Client:		HAUSSINGEN PETER		United States of America	
Case Type:	PCT	Status:	Pending		
Application Number:	10/070,487	Filing Date:	04-Mar-2002		
Patent Number:		Issue Date:			
Publication Number:		Publication Date:			
Tax Schedule:	SE	Expiration Date:			
Agent:		Agent Reference #:			

Press PGDN to Edit/View Actions and Remarks

Show Outstanding Actions

Case Number: 2012

6 Action(s) Due	Due Date	Indicator	Action Taken	
Translation David Clayberg	15-Feb-2002	Due Date	04-Mar-2002	<input type="checkbox"/>
Priority	04-Mar-2002	Due Date	04-Apr-2002	<input type="checkbox"/>
Information Disclosure Stmtnt	04-Jun-2002	Due Date		<input type="checkbox"/>
Foreign Filing Reminder	04-Sep-2002	Due Date		<input type="checkbox"/>
Foreign Filing Due	04-Mar-2003	Final		<input type="checkbox"/>
Application Status Check	04-Sep-2003	Due Date		<input type="checkbox"/>

Remarks:

User ID: MICHAEL S

Date Created: 26-Jan-2002

Last Update: 16-Feb-2007